

REMARKS

Applicant has amended claim 1 and canceled claim 8. Favorable reconsideration and further examination of claims 1-7 and 9-11 are respectfully requested.

All of the pending claims 1-11 were rejected over U.S. Publication No. 2002/0089065 (Fujimoto). As shown above, Applicant has amended independent claim 1 to include “measuring a resistance of the base body while chemically etching the at least a portion of the base body.” In view of this amendment, withdrawal of the art rejections is respectfully requested.

In this regard, the Office Action (page 3), suggests that it would have been obvious, in view of Fujimoto, “to check the progress of etching during the etching process, therefore, reading on the limitation¹,” since, as the Examiner points out, “Fujimoto teaches measuring the resistance before and after chemical etch.” However, as explained in paragraph [0030] and [0031] of Fujimoto, “each outer electrode 3 on a corresponding end part of the [device] is dipped in a resist material 7”, and then, “the [devices] thus covered with resist layers 8 are ... dipped in ... [a] solvent.” The areas of the devices which are not covered by the resist layer are melted away by the solvent. (See, e.g., Fujimoto at [0029]). Therefore, there is nothing in Fujimoto that suggests that it would even be possible to measure the resistance of the devices during the etching/dipping process described therein, since the outer electrodes of the devices are covered during the etching process by a resist layer (e.g., of cyclized rubber). Thus, even if Fujimoto teaches measuring resistance before the melting process and after the resist layers are removed,

¹ Referring to the features of Applicant's claim 8 (i.e., “measuring a resistance of the base body while chemically etching the at least a portion of the base body”) which has now been incorporated into independent claim 1.

Fujimoto still fails to suggest, or render obvious, measuring a resistance of the base body “while chemically etching the at least a portion of the base body.” (Emphasis added).

This is not merely a trivial distinction. As pointed out in the Applicant's specification, e.g., at paragraph [0023], measuring the resistance of the device during the etching process can provide for more control over the etching process. For example, with the claimed configuration, since resistance is measured while etching, the etching process can be stopped as soon as the actual measured resistance of the base body has reached the target value. Contrary to this, Fujimoto divides the devices into different ranks according to their measured resistances values (prior to dipping), and then the dipping process is carried out differently for the different ranks such that different amounts of the device bodies will be melted away “so as to finally obtain thermistor chips of more or less the same resistance value.” (Abstract; see also [0039]; emphasis added). Accordingly, claim 1 is believed to be patentable.

Each of the dependent claims is believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim, in light of the foregoing amendments, and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this

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paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Please charge any additional fees, not already covered by check, or credit any overpayment, to deposit account 06-1050, referencing Attorney Docket No. 14219-093US1.

Respectfully submitted,

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Paul A. Pysher
Reg. No. 40,780

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906